

LOCAL ANIMAL CONTROL REGULATION AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marc K. Roberts

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill establishes requirements regarding a municipality's or county's regulation of the number of animals an individual may have on the individual's property.

Highlighted Provisions:

This bill:

- ▶ allows an individual to keep one or more animals on the individual's property unless the presence of the animal or animals violates certain standards established by the municipality or county; and

- ▶ establishes requirements for a municipal or county ordinance that regulates the number of animals an individual may have on the individual's property.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

10-8-60.5, Utah Code Annotated 1953

17-50-336.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:



Section 1. Section **10-8-60.5** is enacted to read:

10-8-60.5. Animals on private property.

(1) Notwithstanding any law or ordinance adopted by a municipality, an individual may keep one or more animals on the individual's property unless the municipality:

(a) by ordinance, establishes evidence-based standards for determining when the presence of an animal or animals unreasonably degrades the health, safety, noise, odor, or sanitation of the environment of another property; and

(b) upon investigation, finds that an individual's animal or animals are in violation of the standards that the municipality establishes under Subsection (1)(a).

(2) In accordance with standards that the municipality establishes under Subsection (1)(a), a municipality may, by ordinance:

(a) specify that an individual's animals are presumed to comply with the standards if the individual owns fewer than a specified number of a certain type of animal on a specified size of property; and

(b) prohibit an individual from keeping a specified type of animal on property that is located within a specified type of zone that the municipality establishes under Chapter 9a, Municipal Land Use, Development, and Management Act.

Section 2. Section **17-50-336.5** is enacted to read:

17-50-336.5. Animals on private property.

(1) Notwithstanding any law or ordinance adopted by a county, an individual may keep one or more animals on the individual's property unless the county:

(a) by ordinance, establishes evidence-based standards for determining when the presence of an animal or animals unreasonably degrades the health, safety, noise, odor, or sanitation of the environment of another property; and

(b) upon investigation, finds that an individual's animal or animals are in violation of the standards that the county establishes under Subsection (1)(a).

(2) In accordance with standards that the county establishes under Subsection (1)(a), a county may, by ordinance:

(a) specify that an individual's animals are presumed to comply with the standards if the individual owns fewer than a specified number of a certain type of animal on a specified size of property; and

59 (b) prohibit an individual from keeping a specified type of animal on property that is
60 located within a specified type of zone that the county establishes under Chapter 27a, County
61 Land Use, Development, and Management Act.

62 Section 3. **Effective date.**

63 This bill takes effect on January 1, 2019.

Legislative Review Note
Office of Legislative Research and General Counsel